

BOARD OF SUPERVISORS PROCEEDINGS
November 3, 2009

Pursuant to adjournment, the Board met with Breunig, Fauver, Kuncl, Sukstorf, Lutton and Karloff present. Hanson was excused.

Notice of the meeting was given in advance by published notice in a legal newspaper as shown by the proof of publication filed in the County Clerk's office. Notice of the meeting was mailed to all members of the Board and a copy of their acknowledgement of receipt of notice and agenda is attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

The Chair informed the public of the location of the posting of the Open Meeting Act (84-1407 to 84-1414 as amended by LB 898 2006).

Chairperson Karloff called the meeting to order at 9:00 a.m.

Motion by Sukstorf, seconded by Lutton to accept the bid from Constructors, Inc., Lincoln, NE for full depth asphalt patching and 3" Asphalt Type SPL Overlay on 1.4 miles of County Road 4 and Wann Road for \$243,120.00, contingent upon Western Sand & Gravel paying \$100,000.00 toward the project. Voting yes were Breunig, Fauver, Kuncl, Sukstorf, Lutton and Karloff. Voting no were none. Motion carried.

Motion by Fauver, seconded by Kuncl to approve the County's Payroll for the month of November and hereby authorize the County Treasurer to issue a check to the Saunders County Imprest Account for the full amount for all funds. Voting yes were Fauver, Kuncl, Sukstorf, Lutton, Karloff and Breunig. Voting no were none. Motion carried.

Motion by Lutton, seconded by Breunig to approve the minutes of the October 27th Board meeting. Voting yes were Kuncl, Lutton, Karloff, Breunig and Fauver. Voting no were none. Sukstorf abstained. Motion carried.

Motion by Sukstorf, seconded by Lutton to approve the withdrawal, substitutions and additions of pledged securities for Commercial State Bank, Cedar Bluffs, and Centennial Bank, Ashland. Voting yes were Sukstorf, Lutton, Karloff, Breunig, Fauver and Kuncl. Voting no were none. Motion carried.

The Board discussed, with the County Attorney and County Surveyor, several concerns they have with regards to the real estate property that the Old Medical Center used to be, on 10th Street in Wahoo.

Saunders Medical Center presented the monthly report on activities and financials for the period ending September 30, 2009. The Board was informed that Saunders Medical Center has entered into an agreement to purchase the Medical Practice of Dr. Leo Meduna, which also includes the real estate of said practice. Loren Lindahl, legal council for the Medical Center, explained to the Board that because the Medical Center is owned by Saunders County, the facility could not legally take title of the real estate or sell it. Mr. Lindahl provided the Board of Supervisors with (3) possible options. The Board stated that they would not take action at this time – that with such little notice of said agreement – they needed more time to consider what action to take.

Motion by Breunig, seconded by Kuncl to convene in Closed Session for contract negotiations at 10:35 a.m., (84-1410), with Bill Mulholland from the County's Correctional Dept. and the County Attorney present. Voting yes were Sukstorf, Lutton, Karloff, Breunig, Fauver and Kuncl. Voting no were none. Motion carried.

Motion by Kuncl, seconded by Breunig to adjourn from Closed Session at 10:44 a.m., with no action taken and to reconvene in Regular. Voting yes were Lutton, Karloff, Breunig, Fauver, Kuncl and Sukstorf. Voting no were none. Motion carried.

Gary Pavel, Budget Consultant for the Board, presented additional information to the Board with regards to the County's cash flow issue – at the end of the discussion Mr. Pavel was to work up additional information that was requested and email it to the County Clerk, who would then email it to the Board for their review.

Alan Kovanda, from Nebraska Machinery discussed with the Board different payment options for purchasing the 2009 CAT 140M Motor Grader that they bid on October 20th - Mr. Kovanda was to send an email to the County Clerk, listing out the different payment options that he spoke of to the Board, for consideration at their next Board meeting.

Motion by Kuncl, seconded by Sukstorf to adopt **Resolution #31-2009** approving the Saunders County Local Emergency Operations Plan. Voting yes were Karloff, Breunig, Fauver, Kuncl, Sukstorf and Lutton. Voting no were none. Motion carried.

Motion by Sukstorf, seconded by Breunig to adopt **Resolution #32-2009** approving the re-organization of the inter-jurisdictional Local Emergency Planning Committee and approves the adoption of the new organizational Bylaws in accordance with the Nebraska State Law and provisions set forth within Title III of the Federal Superfund Amendments and Reauthorization Acts (SARA) of 1986. Voting yes were Breunig, Fauver, Kuncl, Sukstorf, Lutton and Karloff. Voting no were none. Motion carried.

The proceedings of the foregoing meeting were recorded and are on file in the County Clerk's office. All items considered by the Board of Supervisors were included in the agenda published or posted prior to said meeting.

Chairperson Karloff declared the meeting adjourned at 12:17 p.m.

BOARD OF SUPERVISORS PROCEEDINGS
November 10, 2009

Pursuant to adjournment, the Board met with Breunig, Fauver, Kuncl, Sukstorf, Hanson, Lutton and Karloff present.

Notice of the meeting was given in advance by published notice in a legal newspaper as shown by the proof of publication filed in the County Clerk's office. Notice of the meeting was mailed to all members of the Board and a copy of their acknowledgement of receipt of notice and agenda is attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

The Chair informed the public of the location of the posting of the Open Meeting Act (84-1407 to 84-1414 as amended by LB 898 2006).

Chairperson Karloff called the meeting to order at 9:00 a.m.

The Public Works Director discussed the pros and cons of temporarily opening County Road M (Hwy 77 Bypass Expressway) to limited traffic use. He talked to the State Dept. of Roads with regards to this matter and they indicated that they are open to the idea and would possibly supply the rock if the County would haul and apply the rock and then maintain the road until the bypass is completed. County Road M would only be open temporarily and restricted to what type of traffic could use the road – and depending upon road conditions would be closed if weather conditions are not favorable to have the road open.

Motion by Sukstorf, seconded by Breunig to approve the temporary opening of County Road M contingent upon the State Dept. of Roads purchasing the rock needed to create a base needed to create good road conditions (estimated cost of \$26,000), the County would agree to haul and apply the rock and then maintain the road surface (estimated cost of \$10,000 for hauling and apply rock). Voting yes were Breunig, Fauver, Kuncl, Sukstorf, Hanson, Lutton and Karloff. Voting no were none. Motion carried.

Motion by Lutton, seconded by Breunig to approve the following Work Orders: **(1)** C-78-600A County Road C between 4 & Wann Road apply a 3" Asphalt Overlay 22' wide for \$49,889.82; **(2)** C-78-660B Wann Road between 3&4 a 3" Asphalt Overlay 22' wide for \$50,324.30; **(3)** C-78-660C Wann Road & Thomas Lakes Road a 3" Asphalt Overlay 22' wide for 450,588.76 and **(4)** C-78-660D Thomas Lakes Road a 3" Asphalt Overlay 22' wide for \$44,317.12. Voting yes were Fauver, Kuncl, Sukstorf, Hanson, Lutton, Karloff and Breunig. Voting no were none. Motion carried.

Motion by Sukstorf, seconded by Fauver to decline the only bid that was submitted for (1) New/Used Motor Grader from Nebraska Machinery, Lincoln – a CAT 140M for \$173,000 after trade-in, at this time. Voting yes were Kuncl, Sukstorf, Lutton, Karloff, Breunig, Fauver and Kuncl. Voting no were none. Motion carried.

Motion by Lutton, seconded by Hanson to approve the Cash Advance of \$82,151.30 to M.E. Collins Contracting Co., Inc., PO Box 83, Wahoo, NE, for services provided on the Valparaiso Southeast (FEMA) Project. The County Treasurer is hereby authorized to issue a check for said amount. Voting yes were Sukstorf, Hanson, Lutton, Karloff, Breunig, Fauver and Kuncl. Voting no were none. Motion carried.

Motion by Sukstorf, seconded by Kuncl to approve Application for Conditional Use Permit #6945 by Mark Timm for construction of a wind turbine for residential use located in Sec. 33-14-8 (Wahoo Rural Precinct). Zoning Dist. is Transitional Agricultural (TA-1), with the condition that an engineer registered in the State of Nebraska verify and stamp the design of the turbine. All recommendations as per the Planning Commission. Voting yes were Hanson, Lutton, Karloff, Breunig, Fauver, Kuncl and Sukstorf. Voting no were none. Motion carried.

Motion by Breunig, seconded by Lutton to convene as an Equalization Board at 10:29 a.m. Voting yes were Lutton, Karloff, Breunig, Fauver, Kuncl, Sukstorf and Hanson. Voting no were none. Motion carried.

BOARD OF EQUALIZATION PROCEEDINGS
November 10, 2009

Pursuant to adjournment Sine Die, the Board met with Lutton, Karloff, Breunig, Fauver, Kuncl, Sukstorf and Hanson present.

Notice of the meeting was given in advance by published notice in a legal newspaper as shown by the proof of publication filed in the County Clerk's office. Notice of the meeting was mailed to all members of the Board and a copy of their acknowledgement of receipt of notice and agenda is attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

The Chair informed the public of the location of the posting of the Open Meeting Act (84-1407 to 84-1414 as amended by LB 898 2006).

Chairperson Hanson called the meeting to order at 10:30 a.m.

Motion by Sukstorf, seconded by Karloff to authorize the mailing of (2) Change of Value Notices (see attached). Voting yes were Karloff, Breunig, Fauver, Kuncl, Sukstorf, Hanson and Lutton. Voting no were none. Motion carried.

Motion by Karloff, seconded by Breunig to approve Tax Corrections #4617 (see attached). Voting yes were Breunig, Fauver, Kuncl, Sukstorf, Hanson, Lutton and Karloff. Voting no were none. Motion carried.

Motion by Fauver, seconded by Lutton to approve the minutes of the October 27th Board meeting. Voting yes were Fauver, Kuncl, Sukstorf, Lutton, Karloff and Breunig. Voting no were none. Hanson abstained. Motion carried.

The proceedings of the foregoing meeting were recorded and are on file in the County Clerk's office. All items considered by the Board of Supervisors were included in the agenda published or posted prior to said meeting.

Chairperson Hanson declared the meeting adjourned Sine Die at 10:31 a.m.

Motion by Breunig, seconded by Lutton to convene in Closed Session at 10:43 a.m., for real estate negotiation matters (84-1410), with the County Attorney. Voting yes were Kuncl, Sukstorf, Hanson, Lutton, Karloff, Breunig and Fauver. Voting no were none. Motion carried.

Motion by Kuncl, seconded by Hanson to adjourn from Closed Session at 10:55 a.m., with no action taken and convene in Regular meeting. Voting yes were Sukstorf, Hanson, Lutton, Karloff, Breunig, Fauver and Kuncl. Voting no were none. Motion carried.

Motion by Lutton, seconded by Fauver to direct the County Attorney to write and submit a contract between the Saunders Medical Center Board of Trustees and the Saunders County Board of Supervisors, that Saunders County will take title to the Real Estate Property of Dr. Leo Meduna's Medical Practice, with stipulations regarding the maintenance and upkeep of the building, surrounding parking lot and outside grounds and utilities to said property. Voting yes were Hanson, Lutton, Karloff, Breunig, Fauver, Kuncl and Sukstorf. Voting no were none. Motion carried.

Motion by Sukstorf, seconded by Fauver to authorize the County Clerk to notify the US Census Bureau, US Census Bureau, that Saunders County will provide donated office space, on the Courthouse bottom floor, to use as a Questionnaire Assistance Centers and space to test job applicants or train new employees, from January 1, 2010 to April 30, 2010. Voting yes were Lutton, Karloff, Breunig, Fauver, Kuncl, Sukstorf and Hanson. Voting no were none. Motion carried.

Motion by Breunig, seconded by Lutton to approve the minutes of the November 3rd Board meeting. Voting yes were Karloff, Breunig, Fauver, Kuncl, Sukstorf and Lutton. Voting no were none. Hanson abstained. Motion carried.

Motion by Kuncl, seconded by Sukstorf authorize the Emergency Management Director, to replace the outdated Base Repeater in the Saunders County Dispatch Center for paging to Malmo, Wahoo and Weston Fire/Rescue Departments, from D&D Communications, Omaha, NE for \$14,603.50 by utilizing the \$17,000.00 that has been held at D&D Communications. That the Board recognizes that said credit is from 2005 when the local fire and rescue departments donated funds for the purchase of equipment, but that equipment was purchase and paid for from Federal Emergency Management Grant Funding, which then created the credit. Voting yes were Breunig, Fauver, Kuncl, Sukstorf, Hanson, Lutton and Karloff. Voting no were none. Motion carried.

The proceedings of the foregoing meeting were recorded and are on file in the County Clerk's office. All items considered by the Board of Supervisors were included in the agenda published or posted prior to said meeting.

Chairperson Karloff declared the meeting adjourned at 11: 12 a.m.

BOARD OF SUPEVISORS PROCEEDINGS November 17, 2009

Pursuant to adjournment, the Board met with Breunig, Fauver, Kuncl, Sukstorf, Hanson, Lutton and Karloff present.

Notice of the meeting was given in advance by published notice in a legal newspaper as shown by the proof of publication filed in the County Clerk's office. Notice of the meeting was mailed to all members of the Board and a copy of their acknowledgement of receipt of notice and agenda is attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

The Chair informed the public of the location of the posting of the Open Meeting Act (84-1407 to 84-1414 as amended by LB 898 2006).

Chairperson Karloff called the meeting to order at 9:00 a.m.

Motion by Kuncl, seconded by Hanson to open the Public Hearing at 9:03 a.m. for the County's One & Six Year Road Plan. Voting yes were Breunig, Fauver, Kuncl, Sukstorf, Hanson, Lutton and Karloff. Voting no were none. Motion carried.

Motion by Breunig, seconded by Sukstorf to approve the minutes of the November 10th Board meeting. Voting yes were Fauver, Kuncl, Sukstorf, Hanson, Lutton, Karloff and Breunig. Voting no were none. Motion carried.

Motion by Lutton, seconded by Breunig to convene in Closed Session at 10:52 a.m. for personnel matters (84-1410), with Sheri Jurek and the County Attorney. Voting yes were Kuncl, Sukstorf, Hanson, Lutton, Karloff, Breunig and Fauver. Voting no were none. Motion carried.

Motion by Kuncl, seconded by Fauver to adjourn from Closed Session at 10:54 a.m., with no action taken and to reconvene in Regular meeting. Voting yes were Sukstorf, Hanson, Lutton, Karloff, Breunig, Fauver and Kuncl. Voting no were none. Motion carried.

Motion Fauver, seconded by Breunig to approve the Vendor Claims for the month of November with the claim to Sheri Jurek being adjusted from \$176.00 to \$74.80. The County Treasurer is hereby authorized to issue a check to the Saunders County Imprest Account for the full amount for all funds. Voting yes were Hanson, Lutton, Karloff, Breunig, Fauver, Kuncl and Sukstorf. Voting no were none. Motion carried.

Motion by Hanson, seconded by Lutton to close the Public Hearing for the County's One & Six Year Road Plan at 11:03 and adopt **Resolution #33-2009** accepting and approving said One & Six Year Road Plan as submitted. Voting yes were Lutton, Karloff, Breunig, Fauver, Kuncl, Sukstorf and Hanson. Voting no were none. Motion carried.

The proceedings of the foregoing meeting were recorded and are on file in the County Clerk's office. All items considered by the Board of Supervisors were included in the agenda published or posted prior to said meeting.

Chairperson Karloff declared the meeting adjourned at 11:08 a.m.

BOARD OF SUPERVISORS PROCEEDINGS
November 24, 2009

Pursuant to adjournment, the Board met with Breunig, Fauver, Kuncl, Hanson, Lutton and Karloff present. Sukstorf was excused.

Notice of the meeting was given in advance by published notice in a legal newspaper as shown by the proof of publication filed in the County Clerk's office. Notice of the meeting was mailed to all members of the Board and a copy of their acknowledgement of receipt of notice and agenda is attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

The Chair informed the public of the location of the posting of the Open Meeting Act (84-1407 to 84-1414 as amended by LB 898 2006).

Chairperson Karloff called the meeting to order at 9:00 a.m.

Motion by Breunig, seconded by Kuncl to adopt **Resolution #34-2009** for Financial Management Systems Certification and attached forms for continue participation in Federal-Aid Transportation Construction Programs. Voting yes were Breunig, Fauver, Kuncl, Hanson, Lutton and Karloff. Voting no were none. Motion carried.

Motion by Breunig, seconded by Hanson to adopt **Resolution #35-2009** appointing Steve Mika, Public Works Director for Saunders County, as the "Responsible Charge (RC)" for Federal-Aid Transportation Construction Programs. Voting yes were Fauver, Kuncl, Hanson, Lutton, Karloff and Breunig. Voting no were none. Motion carried.

Motion by Breunig, seconded by Hanson to appoint Daniel J. Furasek, Valparaiso and Aaron Nelson, Mead to the Saunders County Extension Board. Voting yes were Kuncl, Hanson, Lutton, Karloff, Breunig and Fauver. Voting no were none. Motion carried.

Motion by Breunig, seconded by Lutton to convene in Closed Session at 9:31 a.m., for personnel matters (84-1410). Voting yes were Hanson, Lutton, Karloff, Breunig, Fauver and Kuncl. Voting no were none. Motion carried.

Motion by Breunig, seconded by Fauver to adjourn from Closed Session at 9:56 a.m., with no action taken, and reconvene in Regular meeting. Voting yes were Lutton, Karloff, Breunig, Fauver, Kuncl and Hanson. Voting no were none. Motion carried.

Motion by Breunig, seconded by Fauver to grant the request of Karen Boop, of Wahoo, to decorate the Law Enforcement & Judicial Center for Christmas Holiday, as follows: **1).** A single blue light in the windows on the first level of the building (with the approval of each occupant's) office/room and the availability of an electrical outlet. **2).** A tree in the Entry Way decorated with clear or blue lights, blue bulbs, angels made with blue and silver ribbon, and a large blue ribbon on the top; and **3)** Two large evergreen wreaths with blue bulbs and blue ribbon to hang inside or outside the building in places yet to be determined. In Law Enforcement, blue is the color of peace – the object is to decorate the Law Enforcement & Judicial Center in a manner that would honor the offices and employees who serve in Law Enforcement. Voting yes were Karloff, Breunig, Fauver, Kuncl, Hanson and Lutton. Voting no were none. Motion carried.

Motion by Kuncl, seconded by Fauver to table the Resolution fixing the salaries of elected officials prior to January 15th of the 2010 Elections and to place on the Board's December 1st agenda. Voting yes were Breunig, Fauver, Kuncl, Hanson, Lutton and Karloff. Voting no were none. Motion carried.

Motion by Breunig, seconded by Hanson to convene in Closed Session at 10:43 a.m. with regard to real estate matters (84-1410), with the County Attorney. Voting yes were Fauver, Kuncl, Hanson, Lutton, Karloff and Breunig. Voting no were none. Motion carried.

Motion by Lutton, seconded by Breunig to adjourn from Closed Session at 11:06 a.m., with no action taken and reconvene in Regular meeting. Voting yes were Kuncl, Hanson, Lutton, Karloff, Breunig and Fauver. Voting no were none. Motion carried.

Motion by Hanson, seconded by Fauver to approve the minutes of the November 17th Board meeting. Voting yes were Hanson, Lutton, Karloff, Breunig, Fauver and Kuncl. Voting no were none. Motion carried.

Motion by Breunig, seconded by Kuncl to approve the withdrawal and substitution of Pledged Securities from Commercial State Bank, Cedar Bluffs and First National Bank, Wahoo. Voting yes were Lutton, Karloff, Breunig, Fauver, Kuncl and Hanson. Voting no were none. Motion carried.

Motion by Breunig, seconded by Hanson to accept the Fee & Activity Reports for the month of October. Voting yes were Karloff, Breunig, Fauver, Kuncl, Hanson and Lutton. Voting no were none. Motion carried.

The proceedings of the foregoing meeting were recorded and are on file in the County Clerk's office. All items considered by the Board of Supervisors were included in the agenda published or posted prior to said meeting.

Chairperson Karloff declared the meeting adjourned at 11:20 a.m.